COUNTY OF SAN DIEGO
DEPARTMENT OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS DIVISION

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CHIEF'S NOTES

By Michael Dorsey, Chief

The terrorist attack of September 11 was a tragic event for our nation. Recent incidents in Florida, New York, and Washington, D.C. surrounding the discovery of anthrax with resulting illnesses and deaths were also upsetting.

On October 12, various dispatch centers throughout the County began receiving numerous calls related to white substances thought to be anthrax. On October 13, a dispatch assistance line was set up at the County's Emergency Operations Center (EOC) to effectively triage these calls. This line was staffed by the Department of Environmental Health (DEH) and the Health and Human Services Agency, and averaged 55 calls a day. The most common types of calls received were related to unopened suspicious packages and letters and emotional responses of individuals receiving those packages and letters.

Since October 12, the County's Hazardous Incident Response Team (HIRT) - a joint team of emergency responders from DEH and the City of San Diego Fire Department - have been responding to various calls regarding white powders. The most common responses have been related to powders on, in, or around letters or packages that end up being talc, sugar, flour, or coffee creamer. At the time this newsletter was published, no credible threats had occurred in San Diego County either presumptuous or after final lab analysis.

HIRT is part of the Metropolitan Medical Strike Team (MMST), a multi-disciplinary approach to managing the effects of a nuclear-biological-chemical emergency in San Diego County. Members of the HIRT Team began Weapons of Mass Destruction planning and training two and a half years ago. Table top exercises were held in December 1999 and June 2000. Operation Grand Slam a large scale exercise was held at the Qualcomm Stadium in August 2000. Recently the County Board of Supervisors voted $1.5 million for additional Bio-terrorism information systems, equipment technologies and training. The County of San Diego takes the threat of bio-terrorism serious and is taking every step to protect the public's health and safety.

HMD FEATURED EMPLOYEE:

SEAN ANDERSON

In 1994 Environmental Health Specialist Sean Anderson became an inspector with the Hazardous Materials Division (HMD). Like many of his colleagues, Sean was responsible for inspecting businesses and facilities within a designated geographical area within the County. These inspections ensure compliance with hazardous waste, hazardous materials, underground storage tanks, and medical waste requirements.

A graduate from the University of California, Santa Barbara with a

Bachelor of Arts degree in Environmental Studies, Sean began his career with the County of San Diego as a volunteer in the Department of Health Services, Environmental Health Household Hazardous Materials Program. After two months as a volunteer, Sean was hired as an Environmental Health Technician by the County's Department of Public Works Solid Waste Division. The experience he gained conducting oversight inspections at the local landfills eventually led to Sean being hired as an Environmental Health Technician in DEH's Site Assessment and Mitigation Program and subsequent promotion to an Environmental Health Specialist within HMD.

In November 2000 Sean passed the State of California Registered Environmental Health Specialist (REHS) exam. In order to take the REHS exam Sean had to obtain cross training in several environmental health disciplines.

At the beginning of this year, Sean decided he wanted to become a Peace Corps Volunteer. In August 2001, Sean was accepted into the program and invited to serve in the Dominican Republic. Sean will be involved in drinking water and wastewater projects as well as disaster planning. He will be among 150 volunteers serving in the Dominican Republic. Sean began his 27-month tour of duty on September 14. All of us at DEH wish Sean success with his future endeavors.

DOMINICAN REPUBLIC FACTS

The Dominican Republic is a Representative Democracy of 8.2 million people occupying 18,704 square miles. The language of the people is Spanish. The per capita GDP is $1,860. The terrain of the county is mountainous, with flat coastal regions. The climate is tropical.

RADIOLOGICAL HEALTH PROGRAM:

What exactly is it?

By Jon Dillon, Senior Health Physicist

As professionals in this field, we often get confused looks from people when you use the term "Radiological Health" or "Health Physicist." Well, I am hoping to clear some of this up for everyone and share with you the services that this program provides to the community here in San Diego County.

So what does Radiological Health mean and what is a Health Physicist? Often times your may hear these terms used interchangeably and that can be even more confusing. The field has come a long way since the establishment of the American Roentgen Ray Society in 1922. In the 1940's the Atomic Energy Commission and the National Committee of Radiation Protection were established. Then, in 1956 the Health Physics Society was founded with the primary purpose of supporting its members who specialize in occupational and environmental radiation safety.

Uh oh, there's that confused look again and you're not alone. Even as professionals in the field we sometimes have difficulties explaining these terms, but we keep trying to get better. Let's take this to more of an operational level of what this means to you. The Radiological Health program in the County has the responsibility for ensuring compliance with all applicable regulations to prevent unnecessary exposure from ionizing radiation. Ionizing radiation is the type of electromagnetic radiation that has enough energy to "ionize" material, which means it can strip electrons from atoms and molecules. Examples of ionizing radiation are x-rays and gamma radiation. Conversely, examples of non-ionizing radiation would be microwaves, visible light, radio waves and cellular transmissions.

The use of radioactive materials and radiation producing machines encompasses many different types of businesses in the County such as hospitals, biotechnology, research companies, academic institutions, chiropractors, dental offices and industrial companies. There are currently about 5000 individual x-ray producing machines registered at over 2100 facilities as well as over 200 companies licensed for the use of radioactive material throughout the County.

The Radiological Health staff is responsible for completing Federal and State compliance inspections and investigations at these facilities. In addition to this regulatory role, the program is also involved in County specific activities. An example the shielding plan check review and approval for new construction involving x-ray producing machines. During the construction phase, the Radiological Health staff reviews proposed construction plans pertaining to proper shielding around rooms where x-ray machines will be used. This review is completed to ensure that radiological doses to the members of the public and employees will be below the appropriate limits.

As the Senior Health Physicist, I participate as a member of the Offsite Dose and Assessment Committee (ODAC) at the San Onofre Nuclear Generating Station. This committee is responsible for offsite analysis in the event of an emergency at San Onofre in addition to providing protective action information to the Emergency

Operations Center for the County. I also provide assistance to the emergency response teams throughout the County when radioactive material issues arise. Lastly, all x-ray machine staff routinely handle calls from individuals that have questions pertaining to radiation producing machines, while I handle all calls pertaining to radioactive materials.

In summary, we are part scientist, part regulator, and part educator. Hopefully, I was able to at least give you a brief glimpse of the County's Radiological Health program and the term "Health Physics."

RADIOLOGICAL HEALTH STAFF

Jon Dillon, Senior Health Physicist
Eileen Struthers, Associate Health Physicist
Millard Campbell, Associate Health Physicist
Sal Espiritu, Assistant Health Physicist
Ana Kelleher, Assistant Health Physicist
Jeannie Gloede, Program Secretary

Radiological Health staff can be contacted at (858) 694-3550.

UNIVERSAL WASTE

By Clarissa Hart, Environmental Health Specialist II

In March 2000, emergency regulations were passed by the California Department of Toxic Substances Control (DTSC) classifying certain hazardous wastes as "Universal Waste" (UW). Final regulations are expected in either December 2001 or January 2002. In August 2001 emergency regulations were promulgated by DTSC that included cathode ray tubes (CRTs) in the UW rules. The emergency regulations can be found in the California Code of Regulations, Title 22, Chapter 23, Section 66273.1, et. al. The proposed final regulations exempt UW that is managed properly from being regulated under the Health and Safety Code Chapter 6.5, but UW is still classified as a hazardous waste. If the UW is not properly managed, then it is subject to all hazardous waste requirements. Additionally, if any UW items are not in good condition, are damaged or leaking, the UW item must be handled as a hazardous waste.

Definitions: Universal wastes are wastes that are hazardous, generated by a wide segment of the population including non-industrial businesses, pose a lower risk than other hazardous wastes, and are likely to be disposed of to a regular municipal landfill. California considers batteries, thermostats, certain lamps, and CRTs to be UW. Universal waste batteries include, but are not limited to, rechargeable nickel-cadmium batteries, silver button batteries, small sealed lead acid batteries, and alkaline batteries. Spent lead acid storage batteries of the automotive type are not UW. Universal waste thermostats are those containing small glass capsules of mercury. Universal waste lamps include most (but not all) fluorescent tubes, high intensity discharge lamps, sodium vapor lamps, and any other lamps that exhibit a characteristic of a hazardous waste.

General Classification: Handlers of UW are classified into five separate classifications: households, conditionally exempt small quantity generators (less than 100kg of RCRA hazardous waste and UW per month, excluding CRTs), large quantity handlers (5,000 kg or more of UW at any time excluding CRTs), and handlers of CRT waste (CRTs, CRT devices and CRT glass). A small quantity handler of CRT waste, an electronic product handler, generates a total of five or less CRT devices per year.

Exemptions: Households are exempt from any regulations at this time. Under the emergency regulations, UW produced by a conditionally exempt small quantity generator is exempt from classification as hazardous waste provided the generator discards no more than 30 fluorescent light tubes or 20 pounds of batteries in one month; and the generator remains in compliance with 40 CFR Section 261.5. No thermostats may be disposed to a municipal landfill.

An electronic product handler is exempt from the requirements provided the generator does not dispose of any CRT device; the handler does not disassemble or otherwise treat any CRT device; and all CRT devices are transported to a CRT material handler or to a permitted household hazardous waste collection facility.

The exemptions for households and conditionally exempt small quantity generators expires four years from the acceptance date of the final regulations.

Labeling and Storage Times: Both small and large quantity handlers of UW and handlers of CRT waste must label or mark each item of waste (i.e., each lamp), the container in which the waste is contained, or the storage area with a content description and the date the material first became a waste.

Examples of appropriate descriptive labels include "Waste Battery(ies)," "Waste Mercury Thermostat(s)," "Waste Lamp(s)," "CRTs," or "contains leaded glass." The allowable storage time limit for UW and CRTs is one year from the date the UW or CRT waste is generated. Longer storage times are acceptable if they can be shown for the purpose of accumulating sufficient quantities of UW or CRTs to facilitate proper recovery, treatment, or disposal.

Notification: Small quantity handlers of UW are not required to notify DTSC or obtain an EPA Identification Number. Large quantity UW handlers and CRT handlers must send written notification of UW/CRT management to the DTSC and obtain an EPA Identification Number. A CRT material handler that generates 5,000 kg or more of CRT material per calendar year shall, no later than November 1, send written notification to DTSC and to the local CUPA (County of San Diego Department of Environmental Health). A conversion factor of 30 pounds (2.2kg/lb) per CRT may be used to calculate the quantity generated per year.

Records: While small quantity handlers are not required to keep records of shipments of UW, large quantity handlers and handlers of CRT materials are required to keep records. A record of each shipment of UW or CRTs sent from the handler to another facility shall be kept on site for at least three years. The record may be a log, invoice, manifest, bill of lading or other shipping document, but must include the name and address of the destination facility, the quantity (count or weight) of each type of UW sent, and the date the shipment left the facility.

Training: Small quantity handlers of UW are responsible for ensuring their employees are aware of proper handling of UW and emergency procedures for the facility. A large quantity handler of UW and handlers of CRT waste shall ensure that all employees are thoroughly familiar with proper UW handling and emergency procedures.

Additional Information: For more information on disposal and recycling options for UW and CRTs:

California Department of Toxic Substances Control web page
www.dtsc.ca.gov

California Integrated Waste Management Board web page
www.ciwmb.ca.gov

HMD PLAN CHECK PROCESS

By Gloria Estolano, EHS III and Veronica Garmo, EHS I

Section 65850.2 of the Government Code prohibits Building Departments from issuing a final certificate of occupancy unless a business that handles hazardous materials meets the following:

1. The hazardous materials business plan requirements required under Section 25505 in Chapter 6.95 of the California Health and Safety Code; and

2. Certain elements of the California Accidental Release Prevention Program requirements under Article 2 (commencing with Section 25531) in Chapter 6.95 of the California Health and Safety Code.

How do the Building Departments comply with Section 65850.2 of the Government Code? Building Departments require that businesses constructing new facilities or doing tenant improvements obtain clearance from the Hazardous Materials Division (HMD) and the Air Pollution Control District (APCD) before obtaining a construction permit or a certificate of occupancy. The mechanism to accomplish this is the Hazardous Materials Questionnaire (HMQ). By completing the HMQ businesses provide information that helps determine if a Department of Environmental (DEH) Unified Program Facilities Permit also known as a Health Permit is required for handling hazardous materials, generating hazardous wastes, generating medical waste, or operating underground storage tanks. The HMQ also provides information about equipment that requires permits from APCD.

Is your business subject to the HMD Plan Check Process? You will be required to enter the HMD Plan Check Process if you are doing new construction or tenant improvements at your place of business and you are handling hazardous materials, regulated substances, hazardous wastes, and/or underground storage tanks. You will be required to complete an HMQ. HMD staff will determine based upon your completed HMQ if you will be subject to the HMD Plan Check Process or exempt. HMD staff will also assist you in determining the regulatory requirements you will need to meet in order to operate a hazardous materials establishment.

Where can you get additional information? Please contact Environmental Health Specialist Veronica Garmo at (619) 338-2232 or by e-mail at wgarmoeh@co.san-diego.ca.us

PREPARING USED OIL FOR RECYCLING

By Tony Torres, EHS II

As one of millions do-it-yourselfers (DIY'ers) you can help save energy and a valuable resource by recycling the used motor oil from your car, truck, boat, recreational vehicle and lawnmower. Recycling is one way you can demonstrate your commitment to maintaining a clean environment. By taking your used motor oil to a certified collection center, you are keeping it out of drinking water, off the beaches, and away from wildlife.

The American Petroleum Institute recommends the following techniques for changing your vehicles used motor oil:

- Draining the oil from the car's engine into a pan that can hold twice the volume of oil in the crankcase. Draining should be done when the oil is warm to ensure that any sludge flows out smoothly. Allow the oil to drain until the oil is flowing at a slow, intermittent drip.
- Replace the drain plug and then move the oil pan to a location where you can safely pour the oil into a container. Wipe up any drips with a paper towel.
- Using a funnel, pour oil into a clean plastic bottle with a lid that screws on tightly. Label as "used oil". Avoid plastic bottles once used for bleach, cleaners or other automobile fluids, such as antifreeze or gasoline – they can contain residues that contaminate the used oil.
- Take the used oil to a designated certified collection site in your area.

Some other important tips to remember:

- Do not allow the mixing of other hazardous materials or hazardous waste with your used oil.
- State law only allows the transport of 20 gallons per day within 5 gallon containers for DIY'ers.
- Do not forget about the used oil filter. It is illegal in California to dispose of used oil and oil filters into the trash.

Remember, recycling helps save our valuable resources and protects the environment. Contact your local recycling center near you.

ENFORCEMENT:

Proposed Consistent Administrative Enforcement

By Michael Dorsey, Chief

A recent paper has been published by the California Environmental Protection Agency (Cal/EPA) titled "Proposed Consistent Administrative Enforcement Authority Under the Unified Program." The paper outlines a proposal to create a single, consistent, administrative enforcement authority for application by Certified Unified Program Agencies (CUPAs) across all six CUPA program elements.

Currently only two of the six CUPA programs have authorized administrative enforcement penalty processes: Hazardous Waste Generator and Onsite Hazardous Waste Treatment (HWG/TP); and Hazardous Materials Release Response Plan and Inventories (HMRRP). In addition, some CUPAs have developed administrative enforcement penalties under local ordinances for Underground Storage Tanks (USTs).

The HWG/TP and the HMRRP have different hearing procedures available for those actions that are not settled through the normal settlement process. The HWG/TP specifies a specific hearing process where HMRRP does not.

Under the proposal outlined in the concept paper, a single, consistent hearing process would be established. In addition, CUPAs would be allowed to designate a Local Hearing Officer consistent with the process recently passed by Assembly Bill 711. Allowing CUPAs to use local hearing officers in lieu of administrative law judges (ALJs) recognizes the potential benefit of lower costs, more timely resolutions, and easier access to hearings for both parties.

A copy of the "Proposed Consistent Administrative Enforcement Authority Under the Unified Program" can be downloaded from the California CUPA Forum website at:

www.calcupa.net/technical/enforcement/index.html

AB 711 Administrative Orders (Jackson):

Chaptered October 10, 2001
Effective January 1, 2002

Summary:

Revised HSC Section 25187

Eliminated provision requiring 50% of penalties collected be deposited into the California Hazardous Waste Control Account

Allows for a local hearing officer as an option in lieu of an administrative law judge